

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

FILED
U.S. DISTRICT COURT
MIDDLE GEORGIA
2009 DEC 31 AM 11 07
DEPUTY CLERK

MARTHA A. BURKS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
Social Security Administration,

Defendant.

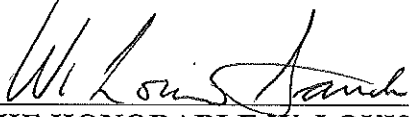
Case No. 1:08-CV-173 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Claude W. Hicks, Jr. filed November 30, 2009. (Doc. 14). It is recommended that Defendant's Motion to Dismiss (Doc. 9) be **GRANTED**. Magistrate Judge Hicks found that Plaintiff's appeal to this Court was untimely filed. No objection has been filed to date.

Upon full review and consideration of the record, the Court finds that said Report and Recommendation (Doc. 14) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant's Motion to Dismiss (Doc. 9) is **GRANTED**.

SO ORDERED, this 30th day of December, 2009.


THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT